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The Honorable S. Kate Vaughan

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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

NO. MJ22-594

Plaintiff,

COMPLAINT FOR VIOLATIONS:

18 U.S.C. § 2422(b).

18 U.S.C. § 2251(a), (e)

v.

CLAYTON HARKER,

Defendant.

BEFORE, the Honorable S. Kate Vaughan, United States Magistrate Judge, U.S.
Courthouse, Seattle, Washington.

COUNT 1

(Attempted Enticement of a Minor)

Between in or about November 2022 and in or about December 2022, , in
Whatcom County, within the Western District of Washington, and elsewhere,
CLAYTON HARKER used a means and facility of interstate and foreign commerce to
attempt to knowingly persuade, induce, entice, and coerce an individual who had not
attained the age of 18 years to engage in sexual activity for which any person can be
charged with a criminal offense—to include, RCW 9A.44.073 (Rape of a Child in the
First Degree) and the production of child pornography as defined in 18 U.S.C. § 2256(8).

All in violation of Title 18, United States Code, Sections 2422(b), 2427

COUNT 2**(Attempted Production of Child Pornography)**

Between in or about November 2022 and in or about December 2022, , in Whatcom County, within the Western District of Washington, and elsewhere, CLAYTON HARKER attempted to employ, use, persuade, induce, entice, and coerce a minor, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and transmitting any live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means or facility of interstate and foreign commerce, such visual depiction was transported and transmitted using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and such visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 2251(a), (e).

And the complainant states that this Complaint is based on the following information:

I, Special Agent Krystle Mendoza, being duly sworn under oath, depose and say:

INTRODUCTION

1. I am a Special Agent (SA) with the U.S. Department of Homeland Security, Homeland Security Investigations (HSI), assigned to the Assistant Special Agent in Charge (ASAC) Blaine, Washington, field office. I have been employed as an HSI Special Agent since 2019. I am currently assigned to the child exploitation unit in the HSI office in Ferndale, WA. I am a law enforcement officer of the United States, within the meaning of Title 18, United States Code, who is empowered by law to conduct investigations of, and to make arrests for offenses enumerated in Title 18, United States Code. Prior to this, I worked with the Canada Border Services Agency from 2003 to 2018.

2. In my capacity as a Special Agent, I am responsible for conducting investigations into the numerous federal laws enforced by HSI. I am a graduate of the

1 Federal Law Enforcement Training Center (FLETC), Criminal Investigator Training
2 Program as well as HSI Special Agent Training Program. During that training, I learned
3 how to conduct child exploitation investigations. Since then, I have been involved in
4 many child exploitation investigations and have assisted federal and state partners during
5 their investigations. As such, I have become familiar with ways that child pornography is
6 shared, distributed, and/or produced, including the use of various social media websites
7 (Facebook, Twitter, Kik, Snap Chat, Discord, etc.), “cloud” based storage, and peer-to-
8 peer (P2P) networks. Often, individuals involved in child exploitation will collect or
9 store images and/or videos on various media devices they keep at their residences, or in
10 offsite locations such as “cloud” based storage. I have also become familiar with jargon
11 or slang terms that people involved in child exploitation will use to discuss their
12 activities.

13 3. My training included courses in law enforcement techniques, federal
14 criminal statutes, conducting criminal investigations, and the execution of search
15 warrants. I have participated in the execution of several search warrants which involved
16 child exploitation and/or child pornography offenses and the search and seizure of
17 computers and other digital devices. I have observed and reviewed numerous examples
18 of child pornography in various forms of media, including media stored on digital media
19 storage devices such as computers, tablets, cellphones, etc.

20 4. I am a member of the Internet Crimes Against Children (ICAC) Task Force
21 in the Western District of Washington, and work with other federal, state, and local law
22 enforcement personnel in the investigation and prosecution of criminal violations relating
23 to child exploitation and child pornography, including violations pertaining to the
24 unlawful production, importation, distribution, receipt, attempted receipt, and possession
25 of child pornography and material involving the sexual exploitation of minors in violation
26 of 18 United States Code §§ 2251, 2252(a), and 2252A(a)(4)(B), 2422, 2243(a)(1).

27 5. The facts set forth in this Complaint are based on my own personal
28 knowledge; knowledge obtained from other individuals during my participation in this

1 investigation, including other law enforcement officers; review of documents and records
2 related to this investigation; communications with others who have personal knowledge
3 of the events and circumstances described herein; and information gained through my
4 training and experience. I have not set forth all facts known to me as a result of this
5 investigation but only those facts I believe necessary to establish probable cause to
6 conclude that CLAYTON HARKER committed the offenses charged in this Complaint.

7 **SUMMARY OF THE INVESTIGATION**

8 6. In November 2022, I received a request from the Homeland Security
9 Investigations (HSI) Portland, Oregon office, SA Clinton Lindsly, to assist in a child
10 exploitation investigation involving an individual using a specific Snapchat account (the
11 SUBJECT USER). That user has been identified as CLAYTON HARKER.

12 7. On November 4, 2022, the Honorable Jolie A. Russo, United States
13 Magistrate Judge, District of Oregon, authorized a search warrant for content and other
14 records for a Snapchat user identified to be residing in Virginia (the "VIRGINIA
15 SNAPCHAT USER.")

16 8. On November 8, 2022, Snapchat responded and provided records to the
17 above search warrant via their law enforcement portal. These records were downloaded
18 by SA Lindsly and comprise approximately nine gigabytes of data. The records included
19 media files, chat communications, IP records, subscriber information, and other records.

20 9. During a preliminary review of the records, SA Lindsly found thousands of
21 media files (photographs and videos) that depicted sexually explicit content involving
22 females, most of whom appeared to be under the age of 18. These files appeared to have
23 been sent and/or received by the VIRGINIA SNAPCHAT USER.

24 10. The records also included the content of chats between the VIRGINIA
25 SNAPCHAT USER. and hundreds of other Snapchat users. SA Lindsly reviewed several
26 of these chats and noted a reoccurring theme in the message content. The VIRGINIA
27 SNAPCHAT USER was soliciting suspected underage females for sexually explicit
28 content in exchange for money, purporting to represent a modeling agency. In some

1 instances, the VIRGINIA SNAPCHAT USER appeared to extort the minors to obtain
2 additional imagery.

3 11. Due to the sheer volume of records, a significant amount of time will be
4 required to fully review and analyze the data. However, during the preliminary review
5 SA Lindsly identified chat messages between the VIRGINIA SNAPCHAT USER and
6 another Snapchat user, the SUBJECT USER. The chat logs span June 29, 2022, through
7 October 27, 2022, and included hundreds of messages between the VIRGINIA
8 SNAPCHAT USER and the SUBJECT USER. The chats focused on the sexual
9 exploitation of children and included discussions about sharing child pornography,
10 selling child pornography, collecting child pornography, how to groom children to have
11 them produce child pornography, the sexual trafficking of children, and raping children.
12 The SUBJECT USER said repeatedly that he wanted to rape a child and even offered the
13 VIRGINIA SNAPCHAT USER \$1,000 to rape his seven-year-old niece, to which the
14 VIRGINIA SNAPCHAT USER agreed. The SUBJECT USER also said that he is a
15 collector of child pornography, that he has received child pornography, described in
16 detail child pornography he was viewing, and that he distributed child pornography. The
17 following messages are a sample of the messages sent by the SUBJECT USER to the
18 VIRGINIA SNAPCHAT USER:

19 **June 30, 2022:**

- 20 • Ages 8 to 14 is my preference I. Age range
- 21 • Will u include some 8 and 10 year olds in the folder?
- 22 • Okay. What about the sexy 7 year old, the first minor u sent me? I must have more
23 of her
- 24 • Have any videos of the children getting fucked by men?

25 **July 1, 2022:**

- 26 • My child porn addiction is bad
- 27 • I love producing child porn. I just d t have access to children.
- 28 • Know any girls in Washington state?

29 **July 3, 2022:**

- 30 • Have a video of 3 men on one toddler? One in each hole?
- 31 • Know any toddlers that I could rape?

July 4, 2022:

- I'm genuinely excited to see a cute toddler getting raped.

October 10, 2022:

- I'm excited to rape a child

12. On November 10, 2022, after reviewing the above chats, SA Lindsly "cold" messaged the SUBJECT USER using an undercover Snapchat account (UC 1) to attempt to discuss the sexual exploitation of children and identify the SUBJECT USER. SA Lindsly's online persona included having a three-year-old child and an eight-year-old niece. The SUBJECT USER told SA Lindsly that his name was "Clayton," and that he resided in Bellingham (Washington).

13. The SUBJECT USER also expressed a strong desire to meet and have sex with SA Lindsly's fictitious daughter and/or niece. The SUBJECT USER said he could travel to Oregon to meet them. The SUBJECT USER offered explicit details about the various acts of sexual abuse he would commit against this young girl and asked if he could take pictures during the sexual encounter.

14. On November 22, 2022, the SUBJECT USER messaged an undercover Snapchat account that I control (UC2). Using this account, I purported to be the eight-year-old girl HARKER hoped to meet and sexually abuse.

15. In the weeks that followed, the SUBJECT USER expressed a strong desire to meet and sexually abuse the person he believed was an eight-year-old girl.

16. Below is a representative sample of the chats between HARKER and the two UC personas. (As noted above, UC1 purported to be an adult male with an eight-year-old niece; UC2 purported to be that niece.).

November 23, 2022:

SUBJECT USER:	sent photo of himself (PHOTO 1)
	that's me
	I want to show you my penis
	Badly

1 UC 2: Ok...Ive only sen daddy's and unkle Js before
2 SUBJECT USER: may I show you mine?
3
4 UC 2: Sur if you want
5 SUBJECT USER: To
6 well I'm touching it now
7 SUBJECT USER: Makes it hard
8 I'm gonna send a photo soon
9 Sent a photo of a malès penis with a green/blue
10 bedsheet in the background and a brown freckle
11 on the right hand side of the shaft of the penis.
12
13 UC 2: Unkle j toihs his kock
14 SUBJECT USER: I touch my cock too. Do you like my cock?
15
16 UC 2: it big
17 Lik lolypop
18 SUBJECT USER: Thanks! I'd love to have your mouth on it
19
20 UC 2: yum
21 SUBJECT USER: I'm excited
22 Wanna put it in your puss?
23
24 UC 2: I bett that wud feal good
25 SUBJECT USER: yes
26 Would you want that?
27
28 **November 29, 2022:**
SUBJECT USER: I don't have sex a lot though
Hardly ever
I'm excited to see you naked
Me and your uncle may both fuck your holes
Sorry
UC 2: unkle J and I have fun
Why sorry??

1 SUBJECT USER:

I'm not sure
I hope you and I have fun
Would you rub your feet on my penis?

4 **November 30, 2022:**

5 SUBJECT USER:

I'd like to gangbang you. Me your uncle and
dad all fucking you.

6 UC 2:

Daddy let u?

8 SUBJECT USER:

Idk
At least me and your uncle

10 UC 2:

Pllllllease

11 SUBJECT USER:

I'm excited to fuck your holes. Use you like a
fuck doll.

12 UC 2:

I lik dollys
I excited

14 SUBJECT USER:

15 Me too. I'm gonna fuck you so hard and deep. I
wanna make you moan.
16 Can I hear your voice? I can sens u a voice
message if u like

18 UC 2:

My mommy is wit me cleanen my rom I sic

19 SUBJECT USER:

20 I like when little girls like to get used as a sex toy.
I'm gonna slam my cock in your pussy as hard as
I can
21 And fuck you like a pornstar

22 UC 2:

a pornstar?
23 What is it

24 SUBJECT USER:

(sent a photo of his penis. The same brown
25 freckle is noticeable on this picture).

26 **December 10, 2022:**

27 SUBJECT USER:

I'm super excited to meet you and take photos
of you naked

28 UC 2:

Do you have any friends that like sex too?
I don talk about it so don't no

December 14, 2022:

UC 1:

I gotta head to Vancouver to see my aunt, shes not doing well and could use a emotional boost Rach is gonna come with me

SUBJECT USER:

Vancouver NBC? Bc

UC 1:

we gonna leave Vancouver on the 20th and can stop in Bellingham if you want to play in our hotel or we are going to push down to seattle

SUBJECT USER:

Do I meet you in the parking lot?

UC 1:

would u want to meet her alone or with me?

I could just leave her in a room for u and give you some special alone time

SUBJECT USER:

Sure

I'd like to meet you before I fuck her

December 15, 2022:

SUBJECT USER:

I'm excited to fuck her. I'd be down to rub our cocks together too

I'm getting lube today

UC 1:

anybody that got 8yo puss would say that it shouldnt be against the law

SUBJECT USER:

I agree. Raping toddlers should be done for recreation.

I got lube

December 16, 2022:

SUBJECT USER:

I'm excited to see your feet and pussy

I'll send you a photo of the lube I got later

I'll need some photos of my penis in your pussy.

And I want you to rub your feet on my cock

UC 2:

Why pics

Unkle J take the pics

December 17, 2022:

SUBJECT USER:

I'd like to start slow. Just maybe talk for a few minutes. I'm not super great at talking to kids. And I'm super nervous about doing it with you.

UC 2:

Hi. I nervus to

SUBJECT USER:

Itll be okay. I haven't talked to a child in a long time.

Want to be my girlfriend?

1 SUBJECT USER:

Oh. No I had a girlfriend years ago

Never had one as young as you

You are 8?

3 UC 2:

Yeah

4 SUBJECT USER:

Wow. Yeah I have never had an 8 year
old girlfriend

5 **December 20, 2022:**

6 SUBJECT USER:

Hey

So much snow here

7 UC 2:

Lot of snow here to

I so xcited to met u

8 SUBJECT USER:

I know. I'm excited and nervous.

I hope you like me

10 UC 2:

Don be sily

Of corse I like u

11 SUBJECT USER:

I want to eat your pussy

And lay pipe in you

I'm going to need my penis in your mouth

If I get too aggressive let me know

14 UC 2:

Wil u be gentl like unkle J

15 SUBJECT USER:

Yes. I'll do my best to do so

I'm going to cum in you

Want to do some naked modeling for me?

16 UC 2:

I could do that

Yes

18 SUBJECT USER:

Awesome I'll have my camera.

I'll need a photo of you spreading your pussy

I haven't rubbed my cock on an 8 year olds feet
in so long.

First girl I'll really be able to have good sex
with

Of course we cuddle

I'll need photos of you naked and having sex
with me

I'm excited to have sex with you

I hope my cock can fit in your pussy

25 UC 2:

we leav soon in 10

Ok (kiss)

26 SUBJECT USER:

Okay. Just message me when u are at the hotel.

After I'm in the room. And we are are

snuggling I'll give you my number.

28 UC 2:

Xcited

Byeeeeesee eu soon
 SUBJECT USER: Dont forget to message me love bug
 SUBEJCT USER: We have like 7 inches of snow
 Maybe more. Snowed all night long
 I'm not the most comfortable driving in snow.
 I also don't have chains
 I'd like you to call me Jason when we interact
 in person
 UC 1: ok we should be landing soon. Can u meet at
 330:?
 SUBJECT USER: My roommate has the only 4 wheels drive car.
 So I have to wait for wait for vhf to get home.
 Around 3:30
 UC 1: sweet. That will work out nice
 Give me time to feed her before you stuff her
 good
 SUBJECT USER: No problem. I'll shower too
 How's this gonna work my man?
 UC 1: ill send u the address in a few minutes
 What kind of car u gonna be driving?
 SUBJECT USER: A dark colored SUV. You?
 UC 1: im at the holiday inn and suites by the airport
 4260 mitchell way
 Dark hynudi SUV Oregon plate #xjl338
 It's a santa fe dark blue
 We just checking in so we good
 Let me know when on the way

17. The SUBJECT USER agreed to meet with UC 1 and UC2 on December 20, 2022, at a hotel in Bellingham, Washington.

18. That afternoon, surveilling law enforcement saw HARKER leave his home in Bellingham in a beige Toyota Rav 4. Surveilling law enforcement then saw HARKER drive directly from his home to the hotel. At approximately 3:58 p.m. surveilling law enforcement watched HARKER get out of his car carrying a black bag and head toward the back door of the hotel. Federal agents approached HARKER and identified themselves as law enforcement, detaining HARKER. After being advised of his


1 constitutional rights, HARKER agreed to be interviewed. He provided the following
2 information during this recorded interview:

- 3 • He is the SUBJECT USER who communicated with UC1 and UC2 via Snapchat.
- 4 • He purchased lubricant and brought it with him to use during the assault of the
5 eight-year-old girl.
- 6 • He brought a black camera bag with a Cyber shot camera and multiple memory
7 cards that he intended to use to film the sexual abuse of this child.
- 8 • He intended to have both oral and vaginal sexual intercourse with this young girl.
- 9 • He also brought a ski mask to obscure his face while recording his rape of this
10 child.
- 11 • He has extorted “a lot” of minors he believed to be between the ages of 11 and 14,
12 threatening to pose sexually explicit imagery of those minors online to coerce
13 them into creating additional sexually explicit imagery for him.
- 14 • He has a sexualized interest in children and has viewed and distributed child
15 pornography.
- 16 • He is sexually attracted to minors ranging from infants and toddlers to minors in
17 their early teens.
- 18 • He regularly gratifies himself while viewing child pornography.
- 19 • When he sees children in public, he will later gratify himself while fantasizing
20 about sexually abusing them.


21 19. Had HARKER engaged in the sexual acts described above with an eight-
22 year-old girl, he would have violated RCW 9A.44.073 (Rape of a Child in the First
23 Degree).

CONCLUSION

20. Based on the above facts, I respectfully submit that there is probable cause to believe that CLAYTON HARKER committed the offenses charged in this Complaint.


KRYSTLE MENDOZA, Affiant
Special Agent, HSI

SUBSCRIBED and SWORN to before me this 21st day of December, 2022.


S. KATE VAUGHAN
United States Magistrate Judge